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SUBJECT: BELIZE -- 2009 TIP REPORT: PRESS GUIDANCE AND
DEMARCHE

REF: A. STATE 59732
[1](#)B. STATE 005577

[1](#)1. This is an action cable; see paras 5 through 7 and 10.

[1](#)2. On June 16, 2009, at 10:00 a.m. EDT, the Secretary will release the 2009 Trafficking in Persons (TIP) Report at a press conference in the Department's press briefing room. This release will receive substantial coverage in domestic and foreign news outlets. Until the time of the Secretary's June 16 press conference, any public release of the Report or country narratives contained therein is prohibited.

[1](#)3. The Department is hereby providing Post with advance press guidance to be used on June 16 or thereafter. Also provided is demarche language to be used in informing the Government of Belize of its tier ranking and the TIP Report's imminent release. The text of the TIP Report country narrative is provided, both for use in informing the Government of Belize and in any local media release by Post's public affairs section on June 16 or thereafter. Drawing on information provided below in paras 8 and 9, Post may provide the host government with the text of the TIP Report narrative no earlier than 1200 noon local time Monday June 15 for WHA, AF, EUR, and NEA countries and OOB local time Tuesday June 16 for SCA and EAP posts. Please note, however, that any public release of the Report's information should not precede the Secretary's release at 10:00 am EDT on June 16.

[1](#)4. The entire TIP Report will be available on-line at www.state.gov/g/tip shortly after the Secretary's June 16 release. Hard copies of the Report will be pouched to posts in all countries appearing on the Report. The Secretary's statement at the June 16 press event, and the statement of and fielding of media questions by G/TIP's Director and Senior Advisor to the Secretary, Ambassador-at-Large Luis CdeBaca, will be available on the Department's website shortly after the June 16 event. Ambassador de Baca will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

[1](#)5. Action Request: No earlier than OOB local time Monday June 15 for WHA, AF, EUR, and NEA posts and OOB local time on Tuesday June 16 for SCA and EAP posts, please inform the appropriate official in the Government of Belize of the June 16 release of the 2009 TIP Report, drawing on the points in para 9 (at Post's discretion) and including the text of the country narrative provided in para 8. For countries where the State Department has lowered the tier ranking, it is particularly important to advise governments prior to the Report being released in Washington on June 16.

[1](#)6. Action Request continued: Please note that, for those countries which will not receive an "action plan" with specific recommendations for improvement, posts should draw host governments' attention to the areas for improvement identified in the 2009 Report, especially highlighted in the "Recommendations" section of the second paragraph of the narrative text. This engagement is important to establishing the framework in which the government's performance will be

judged for the 2010 Report. If posts have questions about which governments will receive an action plan, or how they may follow up on the recommendations in the 2009 Report, please contact G/TIP and the appropriate regional bureau.

17. Action Request continued: On June 16, please be prepared to answer media inquiries on the Report's release using the press guidance provided in para 11. If Post wishes, a local press statement may be released on or after 10:30 am EDT June 16, drawing on the press guidance and the text of the TIP Report's country narrative provided in para 8.

18. Begin Final Text of Belize,s country narrative in the 2009 TIP Report:

BELIZE (TIER 2 WATCH LIST)

Belize is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. The most common form of trafficking in Belize is the internal sex trafficking of minors, particularly situations where poor families push their school-aged daughters to provide sexual favors to wealthy older men in exchange for school fees, money, and gifts. This &sugar daddy8 phenomenon occurs in Belize and other Caribbean countries, but often is not recognized as a form of human trafficking by local communities or law enforcement personnel. In two recent cases, more than 70 workers from Nepal and India were trafficked to Belize for forced labor. After being deceived as to the true nature of employment, these victims encountered forced working conditions upon arrival in Belize, in addition to the confiscation of their passports. Some Central American men, women, and children, particularly from Guatemala, Honduras, and El Salvador, migrate voluntarily to Belize in search of work but are subsequently subjected to conditions of forced labor or forced prostitution.

The Government of Belize does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite these overall significant efforts, the government did not show evidence of progress in convicting and sentencing trafficking offenders last year, and therefore Belize is placed on Tier 2 Watch List.

Recommendations for Belize: Increase efforts to investigate and prosecute trafficking offenses and convict and punish trafficking offenders, including any allegedly complicit public officials; increase law enforcement efforts against forced labor; continue to improve victim services and assistance; and increase penalties for sex trafficking crimes so they are commensurate with penalties for other grave crimes.

Prosecution

The Government of Belize made inadequate progress in applying law enforcement measures against trafficking offenders during the past year. The Government of Belize prohibits all forms of trafficking through its Trafficking in Persons Prohibition Act of 2003, which prescribes punishment between one and five years, imprisonment and a \$5,000 fine. These penalties are sufficiently stringent but are not commensurate with penalties prescribed for other serious crimes such as rape, which carries a penalty of eight years to life imprisonment. There were no trafficking convictions during the reporting period: one prosecution was dismissed, two prosecutions remain pending, and one is pending appeal. In one case, the government charged a Chinese company with five counts of withholding travel documents) an offense less severe than trafficking -- after reviewing allegations that the company had trafficked 70 Nepalese and Indian workers to Belize to work on a hydrodam project. In September 2008, a court dismissed the case on procedural grounds; the government is in the process of filing an appeal. A separate complaint of

an Indian shop owner mistreating and coercing Indian migrants into labor exploitation after confiscating their passports remains pending in Belize City magistrate's court. In 2007, police raided a brothel and rescued a 16-year-old sex trafficking victim; charges against the brothel owner remain pending. Some international organizations describe Belize's judicial system as dysfunctional. Human trafficking cases are typically handled in lower courts and often dismissed. An anti-trafficking committee leads the government's efforts, including coordination of investigations and prosecutions of trafficking offenders; however, the committee discontinued brothel raids to identify trafficking victims last year. The government increased anti-trafficking training for police, immigration officials, and social workers during the reporting period, though anti-trafficking training for labor inspectors remained lacking. The Belizean government cooperated with foreign governments on trafficking investigations. Complicity with trafficking by police officials appeared to be an impediment to some prosecutions.

Protection

The Government of Belize maintained solid protection services for trafficking victims last year. Child victims of trafficking are placed in government institutions for minors.

The government operated two shelters for adult trafficking victims and provided access to medical care, counseling, and integration assistance. Eleven foreign labor trafficking victims received shelter assistance, victim services, and work permits last year. An additional 60 victims from the hydrodam labor trafficking case were assisted by the government and repatriated to Nepal and India; transportation costs were paid by the company that had contracted the workers. Authorities in Belize encouraged victims to assist with the investigation and prosecution of their traffickers. Prosecutors noted difficulty with the willingness of some victim witnesses, particularly child sex trafficking victims, to assist with prosecutions; some victims feared further mistreatment, others did not view themselves as victims, and others were discouraged from testifying by family members. There were no reports of victims being jailed or penalized for crimes committed as a direct result of being trafficked. Belize also provided temporary residency for foreign trafficking victims, and other temporary legal alternatives to the removal of victims to countries in which they would face hardship or retribution.

Prevention

The government maintained efforts to raise public awareness of human trafficking during the reporting period. The government developed public service announcements in multiple languages and redistributed posters and anti-trafficking materials. The government supported local NGOs and provided annual funding for their anti-trafficking efforts. In particular, the government assisted an NGO in Belize City to educate children and parents about the dangers of sexual exploitation and the "sugar daddy" phenomenon. The government also continued to work with Belize's tourism industry to promote a code of conduct to prevent child sex tourism. No specific efforts to reduce demand for forced labor were reported.

19. Post may wish to deliver the following points, which offer technical and legal background on the TIP Report process, to the host government as a non-paper with the above TIP Report country narrative:

(begin non-paper)

-- The U.S. Congress, through its passage of the 2000 Trafficking Victims Protection Act, as amended (TVPA), requires the Secretary of State to submit an annual Report to Congress. The goal of this Report is to stimulate action and create partnerships around the world in the fight against modern-day slavery. The USG approach to combating human trafficking follows the TVPA and the standards set forth in the Protocol to Prevent, Suppress and Punish Trafficking in

Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime (commonly known as the "Palermo Protocol"). The TVPA and the Palermo Protocol recognize that this is a crime in which the victims, labor or services (including in the "sex industry") are obtained or maintained through force, fraud, or coercion, whether overt or through psychological manipulation. While much attention has focused on international flows, both the TVPA and the Palermo Protocol focus on the exploitation of the victim, and do not require a showing that the victim was moved.

-- Recent amendments to the TVPA removed the requirement that only countries with a "significant number" of trafficking victims be included in the Report. Beginning with the 2009 TIP Report, countries determined to be a country of origin, transit, or destination for victims of severe forms of trafficking are included in the Report and assigned to one of three tiers. Countries assessed as meeting the "minimum standards for the elimination of severe forms of trafficking" set forth in the TVPA are classified as Tier 1. Countries assessed as not fully complying with the minimum standards, but making significant efforts to meet those minimum standards are classified as Tier 2. Countries assessed as neither complying with the minimum standards nor making significant efforts to do so are classified as Tier 3.

-- The TVPA also requires the Secretary of State to provide a "Special Watch List" to Congress later in the year. Anti-trafficking efforts of the countries on this list are to be evaluated again in an Interim Assessment that the Secretary of State must provide to Congress by February 1 of each year. Countries are included on the "Special Watch List" if they move up in "tier" rankings in the annual TIP Report -- from 3 to 2 or from 2 to 1) or if they have been placed on the Tier 2 Watch List.

-- Tier 2 Watch List consists of Tier 2 countries determined: (1) not to have made "increasing efforts" to combat human trafficking over the past year; (2) to be making significant efforts based on commitments of anti-trafficking reforms over the next year, or (3) to have a very significant number of trafficking victims or a significantly increasing victim population. As indicated in reftel B, the TVPRA of 2008 contains a provision requiring that a country that has been included on Tier 2 Watch List for two consecutive years after the date of enactment of the TVPRA of 2008 be ranked as Tier 3. Thus, any automatic downgrade to Tier 3 pursuant to this provision would take place, at the earliest, in the 2011 TIP Report (i.e., a country would have to be ranked Tier 2 Watch List in the 2009 and 2010 Reports before being subject to Tier 3 in the 2011 Report). The new law allows for a waiver of this provision for up to two additional years upon a determination by the President that the country has developed and devoted sufficient resources to a written plan to make significant efforts to bring itself into compliance with the minimum standards.

-- Countries classified as Tier 3 may be subject to statutory restrictions for the subsequent fiscal year on non-humanitarian and non-trade-related foreign assistance and, in some circumstances, withholding of funding for participation by government officials or employees in educational and cultural exchange programs. In addition, the President could instruct the U.S. executive directors to international financial institutions to oppose loans or other utilization of funds (other than for humanitarian, trade-related or certain types of development assistance) with respect to countries on Tier 3. Countries classified as Tier 3 that take strong action within 90 days of the Report's release to show significant efforts against trafficking in persons, and thereby warrant a reassessment of their Tier classification, would avoid such sanctions. Guidelines for such actions are in the DOS-crafted action plans to be shared by Posts with host governments.

-- The 2009 TIP Report, issuing as it does in the midst of the global financial crisis, highlights high levels of

trafficking for forced labor in many parts of the world and systemic contributing factors to this phenomenon: fraudulent recruitment practices and excessive recruiting fees in workers, home countries; the lack of adequate labor protections in both sending and receiving countries; and the flawed design of some destination countries, "sponsorship systems" that do not give foreign workers adequate legal recourse when faced with conditions of forced labor. As the May 2009 ILO Global Report on Forced Labor concluded, forced labor victims suffer approximately \$20 billion in losses, and traffickers, profits are estimated at \$31 billion. The current global financial crisis threatens to increase the number of victims of forced labor and increase the associated "cost of coercion."⁸

-- The text of the TVPA and amendments can be found on website www.state.gov/g/tip.

-- On June 16, 2009, the Secretary of State will release the ninth annual TIP Report in a public event at the State Department. We are providing you an advance copy of your country's narrative in that report. Please keep this information embargoed until 10:00 am Washington DC time June 16. The State Department will also hold a general briefing for officials of foreign embassies in Washington DC on June 17 at 3:30 pm EDT.

(end non-paper)

10. Posts should make sure that the relevant country narrative is readily available on or through the Mission's web page in English and appropriate local language(s) as soon as possible after the TIP Report is released. Funding for translation costs will be handled as it was for the Human Rights Report. Posts needing financial assistance for translation costs should contact their regional bureau's EX office.

11. The following is press guidance provided for Post to use with local media.

Q1: Why was Belize downgraded to Tier 2 Watch List on this year's Report?

A: The Government of Belize does not fully comply with the minimum standards for the elimination of trafficking; however, it is making significant efforts to do so. Despite such efforts, the government did not show evidence of progress in convicting and sentencing trafficking offenders last year, and therefore Belize is placed on Tier 2 Watch List.

Q2: What is the nature of Belize's trafficking problem?

A: Belize is a source, transit, and destination country for men, women, and children trafficked for the purposes of commercial sexual exploitation and forced labor. The most common form of trafficking in Belize is the internal sex trafficking of minors, particularly situations where poor families push their school-aged daughters to provide sexual favors to wealthy older men in exchange for school fees, money, and gifts. This "sugar daddy" phenomenon occurs in Belize and other Caribbean countries, but often is not recognized as a form of human trafficking by local communities or law enforcement personnel. In two cases, more than 70 workers from Nepal and India were trafficked to Belize for forced labor. After being deceived as to the true nature of employment, these victims encountered forced working conditions upon arrival in Belize, in addition to confiscation of their passports. Some Central American men, women, and children, particularly from Guatemala, Honduras, and El Salvador, migrate voluntarily to Belize in search of work but are subsequently subjected to conditions of forced labor or forced prostitution.

Q3: How can Belize improve its anti-trafficking efforts?

A: To advance its efforts to combat human trafficking, the

Government of Belize could: Increase efforts to investigate and prosecute trafficking offenses and convict and punish trafficking offenders, including any allegedly complicit public officials; increase law enforcement efforts against forced labor; continue to improve victim services and assistance; and increase penalties for sex trafficking crimes so they are commensurate with penalties for other grave crimes.

¶12. The Department appreciates posts, assistance with the preceding action requests.

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